

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JOHN ACORD, *et al.*,

Plaintiffs,

VS.

YOUNG AGAIN PRODUCTS, INC.,
et al.,

Defendants.

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CIVIL ACTION NO. H-11-3591

ORDER

In accordance with the Memorandum and Opinion of today's date, the release of the contents Defendant Young Again Products seized from John Acord's storage unit will be accomplished as follows:

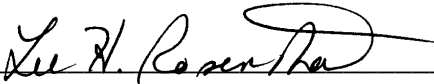
No later than **April 7, 2014**, the U.S. Marshals Service will meet an authorized representative of Young Again at the storage facility where the contents of John Acord's storage unit are presently located. Young Again will contact the U.S. Marshals Service to coordinate the time and place of the meeting. The U.S. Marshals Service will bring a copy of the Seized Property Inventory List originally prepared by Deputy Steven C. Venglar and confirm that the contents of the storage unit matches the Inventory List prepared by Deputy Venglar. On confirmation, Young Again will turn over the keys to the storage facility (both the original keys and any copies), and the chain of custody will pass back to the U.S. Marshals Service through proper signatures on the Inventory List. During the time that the keys to the storage facility are in the possession and control of the U.S. Marshals Service, Young Again will continue to pay the rent on the storage facility.

No later than **April 21, 2014**, John Acord or his authorized representative will arrange with the U.S. Marshals Service a time convenient for the Marshals Service to retrieve the storage unit contents, except for antique radios and telephones that the plaintiffs contend belong to Kenneth Acord. The U.S. Marshals Service will release the items to John Acord on his (or his authorized representative's) written confirmation on the Seized Property Inventory List that the storage unit contents (except the antique radios and telephones) have been retrieved and the U.S. Marshal has passed chain of custody of these items back to him. Once these items are released to John Acord or his representative, the U.S. Marshals Service will provide Young Again with a copy of the Seized Property Inventory List reflecting the transfer of the contents of the storage unit (except for the antique radios and telephones). Young Again will file these documents with the court within 7 days after receipt.

No later than **April 21, 2014**, Kenneth Acord or his authorized representative will coordinate with the U.S. Marshals Service to retrieve the antique radios and telephones taken from the storage unit. The U.S. Marshals Service will release the antique radios and telephones to Kenneth Acord on his or his representative's written confirmation on the Seized Property Inventory List that he has retrieved the antique radios and telephones identified on the Inventory List, and that the U.S. Marshal has passed chain of custody of the antique radios and telephones to him. Once the antique radios and telephones are released to Kenneth Acord, the U.S. Marshals Service will provide Young Again with a copy of the Seized Property Inventory List reflecting the transfer of the radios and telephones to Kenneth Acord. Young Again will file these documents with the court within 7 days after receipt.

If John Acord or Kenneth Acord or their representatives fail or refuse to appear before the U.S. Marshals Service by the deadlines or to comply this order to accomplish the release of the property identified in the Seized Property Inventory List, their respective claims relating to the contents of John Acord's storage unit will be dismissed with prejudice under Federal Rule of Civil Procedure 41(b). Such a failure or refusal will be deemed an abandonment and disclaimer of their respective interests in the contents of John Acord's storage unit. The U.S. Marshals Service will then return to Young Again the keys to the storage facility (including originals and copies, if any), and chain of custody will pass back to the Young Again through proper signatures on the Seized Property Inventory List. Young Again will notify the court that the keys have been returned and may then dispose of the contents of the storage unit free and clear of the alleged interests of John Acord or Kenneth Acord.

SIGNED on March 24, 2014, at Houston, Texas.



Lee H. Rosenthal
United States District Judge